



Painted Dunes
Lassen Volcanic National Park
Photograph by John A. Karachewski

PHOTOGRAPH

Holocene lava flows near the base of Cinder Cone are partly covered with volcanic air-fall and ash deposits, forming a colorful area called the Painted Dunes. Five lava flows have erupted from the flanks of Cinder Cone since 1567 AD. Oxidation of iron-rich minerals in the ash and cinders produced the photogenic Painted Dunes.

EXECUTIVE OFFICER'S REPORT

When Governor Gray Davis signed Senate Bill 2028 (Figueroa), on September 8, 2000, he signified his and the Legislature's satisfaction with the Board of Registration for Geologists and Geophysicists as the appropriate regulatory body for the professions of geology and geophysics.

The Governor's signature on this legislation culminated several years of work by the Board, its staff, the regulated community and the concerned public to satisfy the conditions that were set forth by the Joint Legislative Sunset Review Committee (JLSRC) in 1995 during the Board's first "Sunset Review." The Board's second Sunset Review, dubbed Sunset II, spanned several years. Several hearings in front of Legislators, meetings with Legislative staff and significant documentation of the progress that the Board has made in the last few years in the areas of enforcement, examination improvement and public outreach were necessary to secure the Governor and the Legislature's support.

Thank you to everyone who helped the Board to successfully defend its statutory authority to protect the consumer and regulate geologists and geophysicists.

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SENATE BILL 2028

The passage of SB 2028 does not invalidate your existing licenses! SB 2028 only relates to the existence and "sunset" of the Board. Business and Professions Code Section 101.1(b) provides for the administrative continuation of non-repealed provisions of the Geologist and Geophysicist Act. Therefore, even though the name of the Board changed with the passage of SB 2028, you may still use licenses and certificates that have the "old" name. So, please don't discard your existing licenses and certificates. They are still usable, useful and may even be collector's items in a few years!

BILL NUMBER: SB 2028 CHAPTERED
BILL TEXT

CHAPTER 393
FILED WITH SECRETARY OF STATE
SEPTEMBER 11, 2000
APPROVED BY GOVERNOR SEPTEMBER 8, 2000
PASSED THE SENATE AUGUST 25, 2000
PASSED THE ASSEMBLY AUGUST 22, 2000
AMENDED IN ASSEMBLY
JUNE 15, 2000
AMENDED IN SENATE MAY 1, 2000

INTRODUCED BY Senator Figueroa
FEBRUARY 25, 2000

An act to amend Sections 473.1, 473.2, 473.3, 473.5, 7801, 7810, 7815.5, 18602, and 18613 of, and to repeal Sections 473.16 and 473.17 of, the Business and Professions Code, and to repeal Section 1 of Chapter 78 of the Statutes of 1997, relating to professions and vocations.

LEGISLATIVE COUNSEL'S
DIGEST

SB 2028, Figueroa. Joint Legislative Sunset Review Committee: geologists and geophysicists: State Athletic Commission.

(1) Existing law creates the Joint Legislative Sunset Review

Committee and specifies its duties with respect to the review of various boards and commissions.

This bill would repeal certain provisions governing the committee's review duties and would revise various other provisions relating to the operations of the committee and related reporting dates and requirements for boards and commissions subject to committee review.

(2) The Geologist and Geophysicists Act provides for the licensing and regulation of geologists and geophysicists. The provisions creating the board and authorizing the board to appoint an executive officer will become inoperative on July 1, 2000, and will be repealed on January 1, 2000.

This bill would instead provide that these provisions would become inoperative on July 1, 2005, and would be repealed on January 1, 2006. This bill would rename the board as the Board for Geologists and Geophysicists.

(3) The Boxing Act provides for the establishment of the State Athletic Commission within the Department of Consumer Affairs and makes the commission responsible for the regulation of boxing, kickboxing, and martial arts contests, matches, and exhibitions. Under existing law, the provisions creating the commission will become inoperative on July 1, 2001, and will be repealed on January 1, 2002.

This bill would instead provide for these provisions to become inoperative on July 1, 2005, and to be repealed on January 1, 2006.

THE PEOPLE OF THE STATE OF CALIFORNIA
DO ENACT AS FOLLOWS:

SECTION 1. Section 473.1 of the Business and Professions Code is amended to read:

473.1. This division shall apply to all of the following:

(a) Every board, as defined in Section 22, that is scheduled to become inoperative and to be repealed on a specified date as provided by the specific act relating to the board.

(b) The Bureau for Postsecondary and Vocational Education. For purposes of this division, "board" includes the bureau.



WINTER 2000

Board of Registration for Geologists and Geophysicists



SEC.2. Section 473.16 of the Business and Professions Code is repealed.

SEC.3. Section 473.17 of the Business and Professions Code is repealed.

SEC Section 473.2 if the Business and Professions Code is amended to read:

473.2. All boards to which this division applies shall, with the assistance of the Department of Consumer Affairs, prepare an analysis and submit a report to the Joint Legislative Sunset Review Committee no later than 22 months before that board shall become inoperative.

The analysis and report shall include, at a minimum, all of the following:

- (a) A comprehensive statement of the board's mission, goals, objectives and legal jurisdiction in protecting the health, safety, and welfare of the public.
- (b) The board's enforcement priorities, complaint and enforcement data, budget expenditures with average- and median- costs per case, and case aging data specific to post and preaccusation cases at the Attorney General's office.
- (c) The board's fund conditions, sources of revenues, and expenditure categories for the last four fiscal years by program component.
- (d) The board's description of its licensing process including the time and costs required to implement and administer its licensing examination, ownership of the license examination, relevancy and validity of the licensing examination, and passage rate and areas of examination.
- (e) The board's initiation of legislative efforts, budget change proposals, and other initiatives it has taken to improve its legislative mandate.

SEC.5. Sections 473.3 of the Business and Professions Code is amended to read:

473.3 (a) Prior to the termination, continuation, or reestablishment of any board or any of the board's functions, the Joint Legislative Sunset Review Committee shall, during the interim recess preceding the date upon which a board becomes inoperative, hold public hearings to receive testimony from the Director of Consumer Affairs, the board involved, and the public and regulated industry. In that hearing, each board shall have the burden of demonstrating a compelling public need for the continued existence of the board or regulatory program, and that its licensing function is the least restrictive regulation consistent with the public health, safety, and welfare.

(b) In addition to subdivision (a), in the year 2002 and every four years thereafter, the committee shall hold a public hearing to receive testimony from the Director of Consumer Affairs, the Bureau for Private Postsecondary and Vocational Education,

private postsecondary educational institutions regulated by the bureau, and students of those institutions. In those hearings, the bureau shall have the burden of demonstrating a compelling public need for the continued existence of the bureau and its regulatory program, and that its function is the least restrictive regulation consistent with the public health, safety, and welfare.

SEC.6. Section 473.5 of the Business and Professions Code is amended to read:

473.5. The Joint Legislative Sunset Review Committee shall report its findings and preliminary recommendations to the department for its review, and, within 90 days of receiving the report, the department shall report its findings and recommendations to the Joint Legislative Sunset Review Committee during the next year of the regular session that follows the hearings described in Section 473.3. The committee shall then meet to vote on final recommendations. A final report shall be completed by the committee and made

Geologists and Geophysicists.

SEC.8. Section 7810 of the Business and Professions Code is amended to read:

7810. The Board for Geologists and Geophysicists is within the department and is subject to the jurisdiction of the department. Except as provided in this section, the board shall consist of eight members, five of whom shall be public members, two of whom shall be geologists, and one of whom shall be a geophysicist.

Each member shall hold office until the appointment and qualification of the member's successor or until one year has elapsed from the expiration of the term for which the member was appointed, whichever occurs first. Vacancies occurring prior to the expiration of the term shall be filled by appointment for the remainder of the unexpired term.

Each appointment shall be for a four-year term expiring June 1 of the fourth year following the year in which the previous term expired. No persons shall serve as a member of the board for more than two consecutive terms.

The Governor shall appoint three of the public members and the three members qualified as provided in Section 78111. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint a public member, and their initial appointment shall be made to fill, respectively, the first and second public member vacancies that occurred on or after January 1, 1983.

At the time the first vacancy is created by the expiration of the term of a public member appointed by the Governor, the board shall be reduced to consist of

seven members, four of whom shall be public members, two of whom shall be geologists, and one of whom shall be a geophysicist. Notwithstanding any other provision of law, the term of that member shall not be extended for any reason, except as provided in this section.

This section shall become inoperative on July 1, 2005, and, as of January 1, 2006, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2006, deletes or extends the dates on which it becomes inoperative and is repealed. The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473).

SEC.9. Section 7815.5 of the Business and Professions Code is amended to read:

7815.5. The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

This section shall become inoperative on July 1, 2005, and, as of January 1, 2006, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2006, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC.10. Section 18602 of the Business and Professions Code is amended to read:

18602. Except as provided in this section, there is in the Department of Consumer Affairs the State Athletic Commission, which consists of eight members. Six members shall be appointed by the Governor, one member shall be appointed by the Senate Rules Committee, and one member shall be appointed by the Speaker of the Assembly.

The members of the commission appointed by the Governor are subject to confirmation by the Senate pursuant to Section 1322 of the Government Code.

No person who is licensed under this chapter as a promoter, manager, or judge may be appointed or reappointed to, or serve on, the commission.

Upon the first expiration of the term of a member appointed by the governor, the commission shall be reduced to seven members. Notwithstanding any provision of law, the term of that member shall not be extended for any reason.

This section shall become inoperative on July 1, 2005, and as of January 1, 2006, is repealed, unless a later enacted statute, which becomes operative on or before

January 1, 2006, deletes or extends the dates on which it becomes inoperative and is repealed. The repeal of this section renders the commission subject to the review required by Division 1.2 (commencing with Section 473).

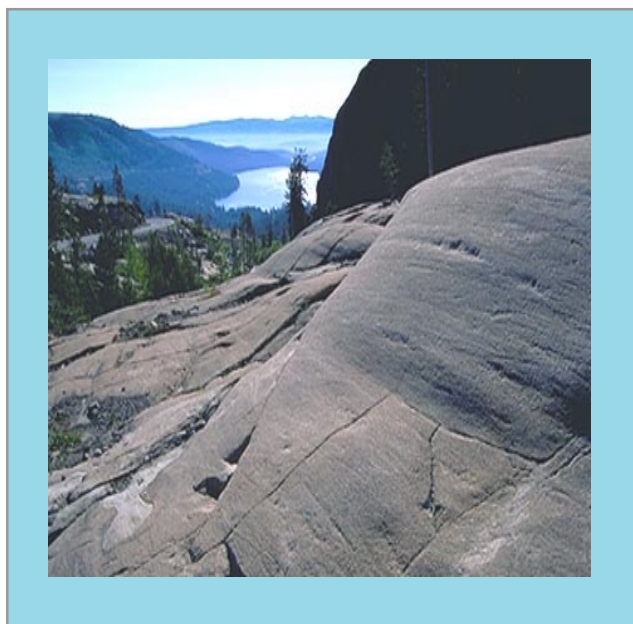
SEC.11. Section 18613 of the Business and Professions Code is amended to read:

18613. The commission shall appoint an executive officer and fix his or her compensation. The executive officer shall carry out the duties prescribed by this chapter and additional duties as may be delegated by the commission. The commission may employ in accordance with Section 154 other personnel as may be necessary for the administration of this chapter.

This section shall become inoperative on July 1, 2005, and, as of January 1, 2006, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2006, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC.12. Section 1 of Chapter 78 of the Statutes of 1997 is repealed.

WHERE ARE YOU?



Photograph by John A. Karachewski

The answer will appear in
Information Bulletin 01-01.





NAPA OUTREACH

The Board participated in a public outreach event that was held in Napa, on September 11, 2000, at various locations, including City Hall and the Public Works Office. The event, hosted by the City of Napa, was intended to raise public awareness and provide information about earthquake preparedness. Two hundred people attended the event.

Napa County experienced a 5.2 magnitude earthquake on September 3, 2000. The City of Napa activated its Emergency Operations Center and a local emergency was declared. Mutual aid from surrounding Fire and Police Departments was requested in order to help with Life Safety and Property Protection.

ANNOUNCEMENT FOR VOLUNTEER OPPORTUNITIES

A pool of volunteer geologists and geophysicists is being established to fill openings on the Board's standing committees as they occur. The committees are: Examination, Technical Advisory and Legislative. If appointed to a committee, an individual is expected to donate 6 to 8 days per year to attend committee meetings plus additional time for projects. Committee appointments are unpaid except for expenses.

If you are interested in volunteering, please submit your resume to the Board and specify your interests.

ASSOCIATION OF ENGINEERING GEOLOGISTS AND GROUND WATER RESOURCES ASSOCIATION JOINT ANNUAL MEETING



Staff members Mary Lynn Ferreira and Paul Sweeney

The Board hosted a booth at the joint annual meeting of the Association of Engineering Geologists and Ground Water Resources Association that was held in San Jose on September 19-26, 2000. Entitled "Linking Tradition and Innovation", the event attracted over six hundred individuals. Technical programs, field trips, symposia, field-oriented short courses, and spouse/guest activities provided an introduction to California geology.

The Board provided informational packets and various publications. In addition, a laptop computer was on display which allowed the public to peruse the Board's new and improved website.

Staff members Mary Lynn Ferreira, Paul Sweeney and former staff member Mary Scruggs attended the event.

BOARD PROFILE PAUL SWEENEY EXECUTIVE OFFICER



Paul Sweeney was born and raised in El Paso, Texas, the son of an electrician and a nurse. He has one older sister who works for the airport in El Paso as a marketing executive, and one younger sister, who works as a Registered Nurse at the VA hospital in Prescott, Arizona. After graduating from Cornell University in 1978 with a degree in chemical engineering, Paul worked in places like Saudi Arabia, Abu Dhabi, Kuwait, the Congo, the North Sea, Indonesia and the American Gulf Coast for the petroleum industry. He was the youngest Production Superintendent for any company in the petroleum industry in the Gulf Coast area in 1982 (26). He supervised 82 individuals (including 6 Production Foremen and 10 "toolpushers") and scheduled the operations for 10 workover rigs while working for Great Southern Oil and Gas(GSOG). While living in Lafayette, Louisiana, he "rubbed shoulders" with such giants in the petroleum business as Frank Mosing (of Frank's Casing Crew), Baker Littlefield (of Power Rig Drilling), and Bob McAdams and Fred Martin of GSOG.

After getting married, he moved to California to begin working for the State in 1988. Due in part to his oilfield experience, he was appointed the Program Manager overseeing the Geothermal Industry for the Regional Water Quality Control Board in Palm Desert, California. The Desert Valley Monofill, which safely disposes of slightly radioactive geothermal wastes, was a project that Paul was instrumental in "making it happen." While in Southern California, he was also part of the team that worked on the large "mega-landfill" projects: Eagle Mountain, Mesquite Regional Landfill and Waste Management's Amboy project. He also worked on the Low Level Radioactive Waste facility proposed for the Needles, California area.

A series of promotions over the years resulted in Paul working as an acting Deputy Director for the Trade and Commerce Agency in Sacramento when he was selected from 24 candidates to become the Executive Officer for the Board on June 27, 1998. Paul has earned outstanding evaluations throughout his 12+ years of State service. Paul is one of only a few dozen managers selected to attend the prestigious "California Leadership Institute" that is offered by the University of Southern California in cooperation with the Department of Personnel Administration.

Paul's wife works as a Resource Specialist for a local school district and they have two elementary school-aged children, a girl and a boy. Camping, snow skiing and playing chess are what he likes to do when he's not being either "the boss" or "daddy/spouse."

This edition of *California Geologists and Geophysicists* is available on the Board's website at www.dca.ca.gov/geology or upon request from the Board.



2001 SCHEDULE OF EVENTS



WINTER 2000
Board of Registration for Geologists and Geophysicists

Holiday – New Year's	January 1	
Holiday – Martin Luther King, Jr.	January 15	
Board Meeting	January 26	Sacramento
Holiday – Lincoln's Birthday	February 12	
Examination Committee	February 16	Sacramento
Holiday – Washington's Birthday	February 19	
Examinations	March 16	to be determined
Examinations	March 16	Sacramento
Technical Advisory Committee	March 23	Sacramento
Enforcement Oversight Committee	April 6	Sacramento
Board Meeting	April 20	Sacramento
Examination Committee	May 18	Sacramento
Holiday – Memorial Day	May 28	
Technical Advisory Committee	June 22	Sacramento
Holiday – 4 th of July	July 4	
Board Meeting	July 20	Sacramento
Examination Committee	August 10	Sacramento
Holiday – Labor Day	September 3	
Technical Advisory Committee	September 7	Sacramento
Examinations	September 14	to be determined
Examinations	September 14	Sacramento
Board Meeting	September 28-29	Sacramento
Holiday – Columbus Day	October 8	
Enforcement Oversight Committee	November 2	Sacramento
Examination Committee	November 2	Sacramento
Holiday – Veterans Day	November 12	
Technical Advisory Committee	November 16	Sacramento
Holiday – Thanksgiving	November 22-23	
Board Meeting	December 7	Sacramento
Holiday – Christmas	December 25	

FALL 2000 EXAMINATIONS

The Board administered 242 examinations in Sacramento and Carson, California, on September 15, 2000. The majority of the examinations given were for the Registered Geologist license (187), with the Certified Engineering Geologist examination second in number with 36 followed by Certified Hydrogeologist with 19. Candidates were notified of their results by Thanksgiving.

Holiday Greetings!

The Board of
Registration for
Geologists
&
Geophysicists
would like to wish you
a safe and happy
holiday season!



TELEPHONE

(916) 263-2113

E-MAIL

geology@dca.ca.gov

WEBSITE

www.dca.ca.gov/geology

FAX

(916) 263-2099



Board of Registration for Geologists and
Geophysicists
2535 Capitol Oaks Drive, Suite 300A
Sacramento, CA 95833
(916) 263-2113

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